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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/404,891	09/24/1999	PAUL H. SCOTT	0325.00273	8875

21363 7590 01/05/2004

CHRISTOPHER P. MAIORANA, P.C.  
24025 GREATER MACK  
SUITE 200  
ST. CLAIR SHORES, MI 48080

EXAMINER

BURD, KEVIN MICHAEL

ART UNIT PAPER NUMBER

2631

DATE MAILED: 01/05/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/404,891

Applicant(s)

SCOTT ET AL.

Examiner

Kevin M Burd

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This office action, in response to the amendment filed 10/6/2003, is a non-final rejection.

#### ***Response to Arguments***

2. Applicant's arguments, see amendment 8, filed 10/6/2003, with respect to the rejection(s) of claim(s) 1-20 under 35 USC 102 (e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Tabata et al (US 4,809,345) in view of Mullaney et al (US 6,377,575).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tabata et al (US 4,809,345) in view of Mullaney et al (US 6,377,575).

Regarding claims 1, 9 and 10, Tabata discloses an apparatus and a method for using the apparatus as shown in figure 4. The apparatus comprises a first circuit that outputs a parallel signal 1407 in response to two or more serial data signals. The serial

data signals are input to multiplexer 1405 and the signal is input to the S/P converter 1407. A second circuit is configured to output two or more serial signals. These signals are output from demultiplexer 1403. The input of demultiplexer 1403 is received from parallel to serial converter 1402. The P/S converter receives a parallel signal (figure 4).

Tabata does not disclose the clock signals used to control the first and second circuits. However, Mullaney discloses using a first and second clock signal to control the converters. A first clock signal (BCLK) in response to a second clock signal (WCLK) is presented by a second circuit and input to a first circuit. These clock signals are used to control the serial to parallel and parallel to serial converters. These clock signals are shown in figure 5b and described in column 6, lines 6-26 and column 38-59. It would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate the clock signals of Mullaney into the apparatus and method of using the apparatus of Tabata to allow a single timing reference to control the circuits. Therefore the circuits will operate in a synchronous fashion (column 6, lines 22-26 and lines 54-59).

Regarding claims 2 and 11, the first clock, BCLK, is a bit clock signal.

Regarding claims 3 and 12, the second clock is a reference clock signal.

Regarding claims 4-6, 13 and 14, the multiplexer 1405 selects the appropriate signal and outputs it to the S/P converter 1407

Regarding claims 7 and 15, the serial to parallel converter 1407 (or a deserializer) generates parallel outputs in response to the output of the PLL.

Regarding claims 8 and 16, the multiplexer 1405 is shown in figure 4

**Contact Information**

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

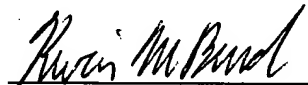
**or faxed to:**

(703) 872-9314, (for formal communications intended for entry or  
for informal or draft communications, please label "PROPOSED" or  
"DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Kevin Burd, whose telephone number is (703) 308-  
7034. The Examiner can normally be reached on Monday-Thursday from 9:00 AM -  
5:00 PM. The examiner can also be reached on alternate Friday.

Any inquiry of a general nature or relating to the status of this application should  
be directed to the Group receptionist whose telephone number is (703) 305-3800.

  
Kevin M. Burd  
PATENT EXAMINER  
12/19/03